

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

IRONTREE GROUP LLC,

Plaintiff,

v.

THOMAS T.S. KAUNG,

Defendant.

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CASE NO. 4:05cv434

**MODIFIED MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On January 11, 2008, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendant's Motion to Dismiss should be GRANTED.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court. Therefore, Defendant's Motion to Dismiss is GRANTED, and Plaintiff's claims are dismissed without prejudice.

IT IS SO ORDERED.

SIGNED this 4th day of April, 2008.



MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE